

1 DANIEL J. BRODERICK, #89424
2 Federal Defender
3 DAVID M. PORTER, Bar #127024
4 Counsel Designated for Service
5 Assistant Federal Defender
6 801 I Street, 3rd Floor
7 Sacramento, California 95814
8 Telephone: (916) 498-5700
9
10 Attorney for Defendant
11 JAMES BOB JACKSON

12
13
14 IN THE UNITED STATES DISTRICT COURT
15 FOR THE EASTERN DISTRICT OF CALIFORNIA

16
17 UNITED STATES OF AMERICA,) No. Cr. F 03-5054 OWW
18 Plaintiff,)
19 v.) **STIPULATED MOTION AND ORDER TO**
20) **REDUCE SENTENCE PURSUANT TO 18**
21) **U.S.C. § 3582(c) (2)**
22 JAMES BOB JACKSON,)
23 Defendant.) **RETROACTIVE CRACK COCAINE**
24) **REDUCTION CASE**
25)
26)
27)
28)

29
30 Defendant, JAMES BOB JACKSON, by and through his attorney,
31 Assistant Federal Defender David M. Porter, and plaintiff, UNITED
32 STATES OF AMERICA, by and through its counsel, Assistant U.S. Attorney
33 DAWRENCE RICE, hereby stipulate as follows:

34 1. Pursuant to 18 U.S.C. § 3582(c) (2), this court may reduce the
35 term of imprisonment in the case of a defendant who has been sentenced
36 to a term of imprisonment based on a sentencing range that has
37 subsequently been lowered by the Sentencing Commission pursuant to 28
38 U.S.C. § 994(o);

39 2. The sentencing range applicable to Mr. Jackson was
40 subsequently lowered by the United States Sentencing Commission in
41 Amendment 706 by two levels;

1 3. Accordingly, Mr. Jackson's adjusted offense level has been
2 reduced from 31 to 29, and a sentence at the mandatory minimum term
3 would be 120 months;

4 4. Mr. Jackson merits a reduction in his sentence based on the
5 factors listed in 18 U.S.C. § 3553(a), as well as considerations of
6 public safety and Mr. Jackson's positive post-sentencing conduct;

7 5. Accordingly, the parties request the court to enter the order
8 lodged herewith reducing Mr. Jackson's term of imprisonment to term of
9 120 months.

10 Dated: June 30, 2008

11 Respectfully submitted,

12 McGREGOR SCOTT
13 United States Attorney

14 DANIEL J. BRODERICK
15 Federal Defender

16 _____
17 /s/ *Dawrence Rice*
18 DAWRENCE RICE
19 Assistant U.S. Attorney
20 Attorney for Plaintiff
21 UNITED STATES OF AMERICA

22 _____
23 /s/ *David M. Porter*
24 DAVID M. PORTER
25 Assistant Federal Defender
26 Attorney for Movant
27 JAMES BOB JACKSON

28 **ORDER**

1 This matter came before the Court on the stipulated motion of the
2 defendant for reduction of sentence pursuant to 18 U.S.C. § 3582(c)(2).

3 On October 14, 2003, this Court sentenced Mr. Jackson to a term of
4 imprisonment of 135 months. The parties agree, and the Court finds,
5 that Mr. Jackson is entitled to the benefit of the retroactive
6 amendment reducing crack cocaine penalties, which reduces the
7 applicable offense level from 31 to 29.

8 IT IS HEREBY ORDERED that the term of imprisonment originally
9 imposed is reduced to term of 120 months;

10 IT IS FURTHER ORDERED that all other terms and provisions of the
11 STIPULATED MOTION and ORDER TO REDUCE SENTENCE

1 original judgment remain in effect.

2 Unless otherwise ordered, Mr. Jackson shall report to the United
3 States Probation office closest to the release destination within
4 seventy-two hours after his release.

5 IT IS SO ORDERED.

6 **Dated: July 1, 2008**

/s/ Oliver W. Wanger
7 UNITED STATES DISTRICT JUDGE

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28